

# Exhibit B

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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*IN RE* TERRORIST ATTACKS ON SEPTEMBER 11, 2001

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) No. 03 MDL 1570 (GBD/FM)  
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This document relates to:

ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,  
Case No. 02-CV-6977;  
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*,  
Case No. 03-CV-5738;  
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,  
Case No. 04-CV-05970;  
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*,  
Case No. 04-CV-07279; and  
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*,  
Case No. 03-CV-6978.

**DEFENDANT DALLAH AVCO'S RESPONSES TO PLAINTIFFS' REQUESTS FOR  
JURISDICTIONAL DISCOVERY**

COMES NOW Defendant Dallah Avco Trans Arabia ("Dallah Avco"), through undersigned counsel, and hereby responds to the Plaintiffs' request for Jurisdictional Discovery as ordered by the Second Circuit and pursuant to Rule 34 of the Federal Rules of Civil Procedure.

**GENERALLY APPLICABLE OBJECTIONS**

Defendant Dallah Avco objects to the document requests including the definitions and instructions incorporated therein for all of the following reasons, with specific emphasis on General Objection No. 6 as detailed herein:

1. The document requests exceed the scope of permissible jurisdictional discovery and exceed the scope of discovery authorized by the Second Circuit. The Second Circuit focused on the activities of Mr. Omar al Bayoumi while he was in California, allegedly promoting the business objectives of Dallah Avco.
2. The document requests seek information from Dallah Avco concerning the relationship if any between various parties and non parties in this litigation, primarily entities or citizens of Saudi Arabia, which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.
3. The document requests seek additional information concerning alleged investigations of Dallah Avco whether in America or Great Britain, which is clearly beyond the scope of the Second Circuit mandate.
4. The document requests seek information that is too remote in time to be in any sense relevant to any theory of specific jurisdiction over Dallah Avco.
5. The document requests seek information that post dates the filing of the 9/11 litigation. Forum contacts that post-date the filing of a lawsuit are immaterial. *See In re Ski Train fire in Kaprun, Austria on November 11, 2000*, 342 F. Supp. 2d 207, 215 n. 62 (S.D.N.Y. 2004). (forum contacts that post-date a filing of a lawsuit are legally immaterial); *Grand River Enters. Six Nations, Ltd. v. Pryor*, 2004 WL 2480433, at \*3 (S.D.N.Y. Nov. 3, 2004) (noting that only pre-litigation contacts with a forum are relevant to a general personal jurisdiction analysis).
6. The document requests seek information that Dallah Avco is required to keep confidential under Saudi Arabian law. Dallah Avco cannot disclose documents whose disclosure would violate the terms of the contract between Dallah Avco and the

Presidency of Civil Aviation (PCA), a Saudi governmental entity. That contract is entitled “Air Navigation System Support” (*See Attached Exhibit I*)<sup>1</sup>, and is governed by Saudi Law. Attached hereto is page six of this contract, which contains the “Confidentiality and Nondisclosure” provision. This provision prohibits the disclosure of any information, including documents, relating to the contractual relationship between Dallah Avco and the PCA. In addition, under Saudi Law, criminal penalties or other liabilities could attach to unauthorized disclosure of confidential governmental information. *See, e.g., Penal Law on Dissemination and Disclosure of Classified Information and Documents*, Royal Decree No. (M/35) Art. 1, 5 (08-05-1432 Hijri). Disclosure of the information requested by Plaintiffs in their jurisdictional discovery requests thus could result in criminal prosecution.

7. Document requests seek information about alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities of such individuals and/or entities were engaged in on behalf of Dallah Avco or otherwise were in the scope of authority granted by Dallah Avco, thus the information sought by these requests is not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.
8. The document requests seek information about Mr. Omar al Bayoumi without any predicate that the alleged activities of this individual were performed on behalf of Dallah Avco or otherwise were within the scope of authority granted by Dallah Avco.

Accordingly, the information sought by these requests is not reasonably calculated to

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<sup>1</sup> Defendant Dallah Avco has an excerpt of “Exhibit B” of the relevant employment contract. There are two exhibits to this contract, and it is page 6 of “Exhibit B” that the Defendant Dallah Avco is relying upon to assert the privilege of non-disclosure of confidential information and has attached hereto; “Exhibit A” is entitled “Form of Contract” and is not attached.

produce information showing any theory of general or specific jurisdiction over Dallah Avco. *See In re Terrorist Attacks I*, 349 F. Supp. 2d at 833 (explaining that a jurisdictional claim against an employer cannot be supported when the alleged actions are not in furtherance of that employer's business); *see also Chong v. Healthtronics, Inc.*, 2007 WL 1836831 at \*7, \*8 (E.D.N.Y. June 20, 2007) (denying jurisdictional discovery under an agency theory because the plaintiff was unable to offer factual allegations in support of the contention that a non-party was an agent of the defendant for purposes of personal jurisdiction).

9. The discovery requests seek merits discovery from Dallah Avco and that exceeds the scope of jurisdictional discovery.
10. The burden and expense of the document requests outweigh any potential or real benefit. *See (888) Justice, Inc. v. Just Enter., Inc.*, No. 06 CV 6410 (GBD), 2007 WL 2398504, at \*3 n.4 (S.D.N.Y. Aug. 22, 2007) (Daniels, J.) (denying application for additional jurisdictional discovery and noting that "discovery need not be granted to allow plaintiff to engage in an unfounded fishing expedition for jurisdictional basis.").
11. The document requests are overly broad, unduly burdensome and or oppressive due to volume of materials sought. *See Societe Nationale Industrielle Aerospatiale v. United States Dist. Ct. for the So. Dist. Of Iowa*, 482 U.S. 522, 546 (1987) ("American courts, in supervising pretrial proceedings, should exercise special vigilance to protect foreign litigants from the danger of unnecessary, or unduly burdensome, discovery may place them in a disadvantageous position.").
12. To the extent any of the discovery sought herein is protected by either the attorney-client privilege or the attorney work-product doctrine or was prepared in anticipation of

litigation or is otherwise protected or subject to exemption from disclosure by any statute, rule, regulation, common-law or other principle, or any other basis recognized under applicable law, Dallah Avco objects to those specific document requests. Dallah Avco will produce a privilege log identifying responsive documents withheld from production on the basis of any such privilege or protection; however, Dallah Avco will not log responsive communications between Dallah Avco and litigation counsel retained for purposes of this litigation. The inadvertent disclosure or production of any document subject to any such privilege or protection is not intended to relinquish any privilege or protection, and shall not be deemed a waiver of any privilege or protection.

13. Dallah Avco objects to the document requests to the extent that they seek to impose requirements on Dallah Avco beyond those prescribed by the Federal Rules of Civil Procedure or the local rules of the Southern District of New York.
14. Based on instruction No. 13 contained in Plaintiffs' document request, it defines the relevant scope of discovery to be the time frame January 1, 1992 to the present. That is an overly broad time frame, which Dallah Avco specifically objects to.
15. Dallah Avco objects to the document requests to the extent they call for the production of documents that are subject to a confidentiality obligation or are otherwise confidential in the absence of an appropriate protective order.
16. Dallah Avco objects to the document requests to the extent they call for the production of documents that are already in Plaintiffs' possession, publically available, readily accessible to plaintiffs, or more easily appropriately obtained from other sources.

17. Dallah Avco objects to the document requests as overly broad and unduly burdensome to the extent that they seek “all” documents where “documents sufficient to show” or a reasonable subset of documents would suffice to identify the requested information.
18. Dallah Avco objects to Definition No. 8 to the extent it defines Dallah Avco to include any parent, subsidiary, or affiliate, and is otherwise overbroad.
19. The fact that an objection is interposed to a particular request does not mean that responsive documents exist or can be located.
20. These objections reflect Dallah Avco’s present knowledge, information, and belief, and may be subject to modification based on further facts and circumstances that may come to the attention of Dallah Avco. Dallah Avco makes these responses without prejudice to its right to supplement these responses if necessary, and to rely upon other facts that may be discovered through its investigations of others or in future discovery by all parties. Dallah Avco reserves the right to assert additional objections as may be appropriate.

#### **OBJECTIONS AND RESPONSES TO SPECIFIC REQUESTS**

Based on the foregoing, and for additional reasons, Defendant Dallah Avco objects and responds to the specific numbered requests of the Document Requests as set forth below:

**DOCUMENT REQUEST NO. 1:** Please provide all documents relating to Omar al Bayoumi

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information

subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 2:** Please provide all personal, employment, or consultancy records relating to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 3:** Please provide all documents relating to any benefits provided by Dallah Avco to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 4:** Please provide all documents Dallah Avco sent to, and/or received from, Omar al Bayoumi.



**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 5:** Please provide all financial records relating to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 6:** Please provide all documents relating to Omar al Bayoumi's educational activities.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information

subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 7:** Please provide all emails or electronic records relating to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 8:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 9:** Please provide all documents relating to any payments issued by or between Dallah Avco and Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 10:** Please provide all documents relating to any involvement on the part of Omar al Bayoumi in any project, assignment, work, or services relative to which Dallah Avco had any role or involvement, or for which Dallah Avco received any payment or benefit.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 11:** Please provide all documents relating to any work or services performed by Omar al Bayoumi on behalf of Dallah Avco, whether as an employee, consultant, or in any other capacity.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that

Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 12:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and any customer, client, subcontractor, contractor, vendor, partner, or affiliate of Dallah Avco.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 13:** Please provide all documents relating to any work or services performed by Omar al Bayoumi on behalf of any Dallah Avco customer, client, subcontractor, contractor, vendor, partner or affiliate of Dallah Avco.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information

subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 14:** Please provide all documents relating to any payments issued by Dallah Avco for any work services performed by Omar al Bayoumi, including payments made to any third party for services or work performed, in whole or in part, by Omar al Bayoumi for that third party.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 15:** Please provide all documents relating to any resources provided by Dallah Avco to Omar al Bayoumi, including without limitation, any documents pertaining to any telephone, fax machines, computers, or other assets provided by Dallah Avco to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information

subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 16:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and any employee, division, or department of Dallah Avco.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 17:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and the Assistant to the Director of Finance, Contracts and Finance Control Division, PCA, Airways Engineering of Dallah Avco.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective

order. Based specifically on General Objection No. 17, Dallah Avco objects to the document requests as overly broad and unduly burdensome.

**DOCUMENT REQUEST NO. 18:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Sulaiman al Ali.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the individual referenced in the Request and has no documents pertaining to this individual. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 19:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and the Muslim World League (MWL).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 20:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and the International Islamic Relief Organization (IIRO).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 21:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Sana-Bell, Inc.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 22:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Sanabel al Kheer, Inc.



**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 23:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Sanabil al Khair-Saudi Arabia.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 24:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and the Muslim World League (MWL).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 25:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and the International Islamic Relief Organization (IIRO).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this

Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 26:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Sana-Bell, Inc.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 27:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Sanabel al Kheer, Inc.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 28:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Sanabil al Khair-Saudi Arabia.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or

otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 29:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Ercan.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 30:** Please provide all documents sent to, and/or received from, Ercan relating to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities

without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 31:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Ercan.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the entity referenced in the Request and has no documents pertaining to this entity. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 32:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Magdi R. Hanna.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit.

**DOCUMENT REQUEST NO. 33:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 34:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 35:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Hamid al Rashid of the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 36:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Hamid al Rashid of the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.



**DOCUMENT REQUEST NO. 37:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Mohamed Ahmed al Salmi of the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 38:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Mohamed Ahmed al Salmi of the Saudi Civil Aviation Administration (SCAA).

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it

seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entites without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 39:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and the Kingdom of Saudi Arabia.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 40:** Please provide all documents relating to any project, assignment, work, or services performed by Dallah Avco on behalf of the Saudi Arabian government, for which Omar al Bayoumi performed any work or services.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 41:** Please provide all documents sent to, and/or received from, the Saudi Arabian government relating to Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 42:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and Dallah al Baraka.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco. Based specifically on General Objection No. 18, Dallah Avco objects to this Request because it defines Dallah Avco to include any parent, subsidiary, or affiliate, and is otherwise overbroad.

**DOCUMENT REQUEST NO. 43:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Omar al Bayoumi and any Dallah Avco parent, affiliate, or subsidiary.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 18, Dallah Avco objects to this Request because it defines Dallah Avco to include any parent, subsidiary, or affiliate, and is otherwise overbroad.

**DOCUMENT REQUEST NO. 44:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Saleh Kamel and Omar al Bayoumi.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the individual referenced in the Request and has no documents pertaining to this individual. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 45:** Please provide all documents relating to Fahad al Thumairy.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the individual referenced in the Request and has no documents pertaining to this individual. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an individual which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf

of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 46:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and Fahad al Thumairy.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Dallah Avco has no present knowledge of the individual referenced in the Request and has no documents pertaining to this individual. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 47:** Please provide all documents relating to the King Fahd Mosque.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based

specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 48:** Please provide all documents governing, describing, detailing, or otherwise relating to any relationship between Dallah Avco and the King Fahd Mosque.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 49:** Please provide all documents sent to, and/or received from, any embassy or consulate of the Kingdom of Saudi Arabia.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 50:** Please provide all documents relating to the Islamic Center of San Diego.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 51:** Please provide all documents relating to the Al Medina Mosque.



**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 2, Dallah Avco objects to this Request because it concerns the relationship, if any, between Dallah Avco and an entity which is beyond the scope of permissible jurisdictional discovery and the scope of discovery authorized by the Second Circuit. Based specifically on General Objection No. 7, Dallah Avco objects to this Request because it concerns alleged activities of Dallah Avco and various individuals and/or entities without any factual predicate that the alleged activities were on behalf of Dallah Avco or otherwise within the scope of its' authority and thus not reasonably calculated to produce information supporting any theory of general or specific jurisdiction over Dallah Avco.

**DOCUMENT REQUEST NO. 52:** Please provide all documents relating to any individual employed or contracted by Dallah Avco in the United States to perform any work or services on behalf of, and/or for the benefit of, Dallah Avco.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order.

**DOCUMENT REQUEST NO. 53:** Please provide all documents relating to the investigation of Dallah Avco in relation to the September 11<sup>th</sup> Attacks.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 3, Dallah Avco objects to this Request because it concerns alleged investigations of Dallah Avco which is clearly beyond the scope of the Second Circuit mandate. Based specifically on General Objection No. 16, Dallah Avco objects to this Request because it calls for the production of documents more appropriately obtained from other sources. Based specifically on General Objection No. 17, Dallah Avco objects to the document requests as overly broad and unduly burdensome.

**DOCUMENT REQUEST NO. 54:** Please provide all documents provided to any representative, official, or agency of the Saudi Arabian government in relation to any investigation of the September 11th Attacks, Omar al Bayoumi, Fahad al Thumairy, Cayson bin Don (a/k/a Usama Dyson; a/k/a Clayton Morgan), Khalid al Mihdhar, Nawaf al Hazmi, Osama Bassnan, Anwar Aulaqi, Mohdar Abdullah, Abdussattar Shaikh, Dallah al Baraka, Saleh Kamel, and/or al Qaeda.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 6, Dallah Avco objects to this Request because it seeks information that Dallah Avco is required to keep confidential under Saudi Arabian Law. Based specifically on General Objection No. 15, Dallah Avco objects to this request because it seeks information subject to a confidentiality obligation or is otherwise confidential in absence of a protective order. Based specifically on General Objection No. 16, Dallah Avco objects to this Request because it calls for the production of documents more appropriately obtained from other sources.

**DOCUMENT REQUEST NO. 55:** Please provide all documents relating to any understanding or agreement with any defendant named in the consolidated civil action, 03 MDL 1570, whereby You have agreed to pay, indemnify, or reimburse any of their costs associated with defending this lawsuit, including legal fees and/or payments to satisfy part or all of a judgment that may be entered in this action against such defendant. Responsive documents shall include, but are not limited to, contracts, agreements, insurance policies, term sheets, or other records.

**OBJECTIONS:** : General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 19, Dallah Avco objects to the Request because there are no responsive documents relating to any understanding or agreement with a defendant named in the consolidated civil action.

**DOCUMENT REQUEST NO. 56:** Please provide all documents relating to any understanding or agreement between you and any individual, entity, and/or government, whereby such party has agreed to pay, indemnify, or reimburse You for any of the costs associated with defending this lawsuit including legal fees and/or payments to satisfy part or all of a judgment that may be entered in this action against You. Responsive documents shall include, but are not limited to, contracts, agreements, insurance policies, term sheets, or other records.

**OBJECTIONS:** General Objections No. 1-20 are incorporated herein. Based specifically on General Objection No. 19, Dallah Avco objects to the Request because there are no responsive documents relating to any understanding or agreement with a defendant named in the consolidated civil action.

/s/ Martin F. McMahon  
Martin F. McMahon, Esq.

Martin F. McMahon & Associates  
1150 Connecticut Ave. N.W. #900  
Washington, D.C. 20006  
(202) 862-4343

DATED: November 11, 2013

### CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of November 2013, I caused a copy of the foregoing Defendant's First Set of Jurisdictional Interrogatories to Plaintiffs to be served by electronic mail upon the co-chairs of the Plaintiffs' Executive Committees:

Jodi Flowers (jflowers@motleyrice.com)  
Robert Haeefe (rhaefe@motleyrice.com)  
Motley Rice LLC  
28 Bridgeside Boulevard  
P.O. Box 1792  
Mount Pleasant, SC 29465  
For the *Burnett* and *Euro Broker* Plaintiffs and the Plaintiffs' Executive Committees  
(also by first class mail, postage prepaid)

Jerry S. Goldman (jgoldman@andersonkill.com) (jfitzgerald@andersonkill.com)  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020  
For the Plaintiffs' Executive Committees

Sean Carter (SCarter1@cozen.com)  
Scott Tarbutton (STarbutton@cozen.com)  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
For the *Federal Insurance* Plaintiffs and Plaintiffs' Executive Committees

James Kreindler (jkreindler@kreindler.com)  
Andrew J. Maloney (amaloney@kreindler.com)  
Kreindler & Kreindler LLP  
750 Third Avenue  
New York, NY 10017-2703  
For the *Ashton* Plaintiffs and Plaintiffs' Executive Committees

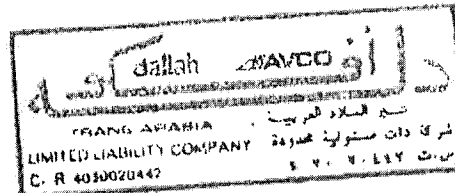
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Martin F. McMahon

# Exhibit 1

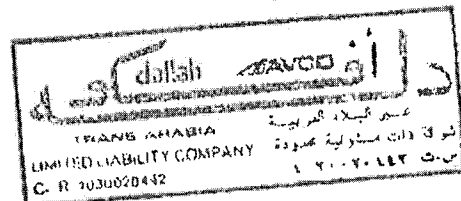
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- b. In case the Contractor does not agree with the decision taken by the designee of the representative, he may refer the matter to the representative who shall, in this case, have the right to confirm or cancel, or amend the said decision.

**3 - RELINQUISHMENT TO OTHER PARTIES CONFIDENTIALITY AND NON DISCLOSURE**

The Contractor shall not divulge to third parties, without the written approval of the Government, any information which it obtains in connection with the performance of the Contract unless the information is obtained by the Contractor from a third party who did not receive same, directly or indirectly, from the Government or the Government Representative or his designee and who has no obligation of secrecy with respect thereto. However, the Contractor shall remain responsible to the Government jointly with the Party to whom the Contract or part thereof have been relinquished to upon the execution of the Contract.

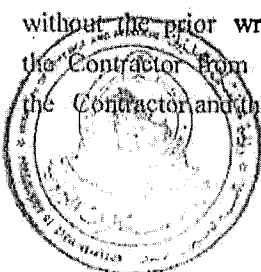
The Contractor shall not, without the prior written approval of the Government, disclose to any third party any information developed or obtained by the Contractor in the performance of the Contract, except to the extent that such information falls within one of the categories described above.

The Contractor understands and agrees that its personnel working directly under Government supervision may in the course of their duties be in receipt of information to which the Contractor will have no right of access, and the Contractor agrees that it will make no attempt to obtain such information from the aforementioned personnel.

The Contractor shall insert a condition in its Contracts with its personnel to ensure the non-disclosure of information concerning the Contract and the services specified herein. The Contractor will be held responsible by the Government for any violations of this condition.

**4 - SUBCONTRACTING**

The Contractor shall not subcontract all Contract work constituting the object of the Contract and shall not - unless otherwise stipulated in the Contract - subcontract any part of the work without the prior written consent of the Government. However, such consent does not relieve the Contractor from the responsibilities and obligations resulting from the Contract, likewise the Contractor and the sub-contractor, acting jointly and severally, shall be responsible towards



*[Handwritten signature]*

*[Handwritten signature]*

